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Plaintiff's request is granted, and the stay is reinstated. The parties shall submit a joint status update by October 6, 2021.

SO ORDERED.

Date: September 1, 2021
New York, New York



JOHN P. CRONAN
United States District Judge

August 31, 2021

Via ECF and E-Mail (CronanNYSDChambers@nysd.uscourts.gov)

Hon. Judge John P. Cronan
United States District Court
Southern District of New York
500 Pearl Street, Room 1320
New York, NY 10007

Re: *Lupardo v. The Armory Foundation*
Civil Action No.: 18cv11984 (JPC) (SN)

Dear Judge Cronan:

I represent Plaintiff, Maria Lupardo, in connection with the above-referenced matter, and I write this letter on behalf of both parties. As the Court is aware, the parties had previously agreed to engage in a mediation and, as a result, had asked the Court to stay the matter pending completion of mediation, a request to which the Court consented. Last week, opposing counsel wrote to the Court seeking a lifting of the stay, and the Court obliged. I write this joint letter to seek reinstatement of the stay. The reason for opposing counsel's request to have the stay lifted derived by errors from my office in terms of responding to particular requests by Defendant's counsel over the last few weeks. Due to unexpected, and unfortunate, family circumstances, I was left with little choice but to take leave from my practice over the last three weeks. In my absence, attempted communications to opposing counsel were not properly conveyed leaving Defendant's counsel to believe that the intended mediation was abandoned.

Happily, I write to inform the Court that after speaking with Defendant's counsel the parties are in agreement to proceed with mediation forthwith, and have agreed to complete a mediation by September 30, subject to the availability of the identified mediators. Given this agreement, we respectfully request that the Court reinstate the stay on this matter and, accordingly, stay decision on the pending motion for summary judgment until such time that the parties have had the opportunity to complete mediation under the terms stated above. Further, the parties will provide the Court with a joint status update by October 6, 2021. Despite this agreement, the parties do reserve the right to ask for the stay to be lifted upon reasonable notice to the other side. I apologize for the aforementioned delays which resulted in the Court's necessary involvement, and endeavor to complete mediation as was originally intended by both parties.



Respectfully Submitted,

_____/S/
Gregory A. Tsonis